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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 10/616,562 |
| | | Filing Date | July 10, 2003 |
| | | First Named Inventor | Nishiji, Makoto |
| | | Art Unit | 3681 |
| | | Examiner Name | Ho, Ha Dinh |
| Total Number of Pages in This Submission | | Attorney Docket Number | |

Total Number of Pages in This Submission

Attorney Docket Number 91253.000003

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavit/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
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| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------------|---|
| Firm or Individual name | Thomas B. Ryan, HARTER, SECREST & EMERY LLP |
| Signature | |
| Date | September 13, 2004 |

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September 13, 2004

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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nishiji, Makoto Atty. Docket: 91253.000003
Serial No.: 10/616,562 Examiner: Ho, Ha Dinh
Filed: July 10, 2003 Art Unit: 3681
Title: TWO-SPEED TORQUE-SPLITTING INTERAXLE TRANSFER CASE

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 18, 2004, applicant makes the following elections:

Applicant elects the invention of Group II described by claims 20-51 and drawn to a drive system of a vehicle. Applicant further elects the species of Figure 5. All of the claims 20-51 of Group II read on the elected species. Claims 20-27 are generic to both species.

Respectfully submitted,

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